

REMARKS

In response to the Final Office Action dated February 2, 2007, Applicants respectfully request reconsideration based on the following remarks. Applicants respectfully request the Examiner to withdraw the Final Rejection dated February 2, 2007.

Priority

The Examiner has stated that Applicants' most recent response leaves some confusion as to whether the Applicants have overcome the Hong reference (dated May 1, 2002). Applicants submit that they have overcome the Hong reference and request the Examiner to withdraw the Final Rejection dated February 2, 2007.

On March 31, 2006, Applicants submitted an IDS that included an article by Agatston et al., entitled "Quantification of Coronary Artery Calcium Using Ultrafast Computed Tomography" dated March 15, 1990.

On March 31, 2006, Applicants submitted a declaration swearing behind the Hong reference.

On June 14, 2006, the Examiner requested further information in reference to one of the exhibits provided by the Applicants to prove priority. Specifically, the Examiner requested more information about the "current calibration process" cited on page 2 of Exhibit A.

On November 14, 2006, Applicants submitted two articles containing information about the "current calibration processes." One of these articles was the Hong article. The second paragraph of the Hong article refers to the Agatston method for semiquantitative assessment of the amount of coronary calcium based on findings at electron-beam CT and cites the 1990 article by Agatston et al, referenced above. The second paragraph of Hong refers to the Agatston method as being a "traditional scoring method." Applicants believe that the Agatston method is an example of a "current calibration process" in use at the time of Applicants' invention. Thus, Applicants submitted the Hong article to point out that the Agatston method, which was described in a printed publication in 1990, was still being referred to as a "traditional scoring method" in an article dated May 1, 2002.

Thus, Applicants submit that Applicants have overcome the Hong reference and request the Examiner to withdraw the finality of the current rejection.

Rejections Under 35 U.S.C. §102(a)

Claims 1-5, 8-9, and 15-28 stand rejected under 35 U.S.C. §102(a) as being anticipated by Hong.

Applicants traverse this rejection for the following reasons.

The subject matter of Claims 1-5, 8, 9 and 15-28 was invented prior to Hong being described in a printed publication. A Declaration under 37 CFR § 1.131 establishing conception of the invention of Claims 1-5, 8, 9 and 15-28, prior to May 1, 2002 (the printed publication date of Hong), and diligent reduction to practice of the invention prior to May 1, 2002 was submitted on March 31, 2006. The Declaration and accompanying attachments submitted on March 31, 2006 show a completion of the claimed subject matter prior to the effective date of Hong. Thus, Hong is not prior art.

Dependent claims inherit all of the limitations of the respective parent claim and any intervening claim.

In view of the foregoing, Applicants submit that Hong has properly been removed as a prior art reference, that Claims 1-5, 8, 9 and 15-28, and claims dependent from those claims, are in condition for allowance, and respectfully requests notice thereof.

Rejections Under 35 U.S.C. §103(a)

Claims 6-7, stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hong in view of Arnold (U.S. Patent No. 4,922,915). For at least the reasons described above with regard to Claim 1, from which Claims 6-7 depend, Hong is not prior art. Further, Arnold does not teach or suggest all of the elements of Claims 6-7. For at least these reasons, Applicants submit that Claims 6-7 are patentable over Hong in view of Arnold.

Claims 10-14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hong in view of Arnold and Feldman (U.S. Patent No. 5,222,021). For at least the reasons described

above with regard to Claim 1, from which Claims 10-14 depend, Hong is not prior art. Further, neither Arnold nor Feldman, alone or in combination teach or suggest all of the elements of Claims 10-14. For at least these reasons, Applicants submit that Claims 10-14 are patentable over Hong in view of Arnold and Feldman.

Conclusion

It is believed that the foregoing remarks fully comply with the Office Action and that this application is now in condition for allowance. Accordingly, reconsideration and allowance is respectfully requested.

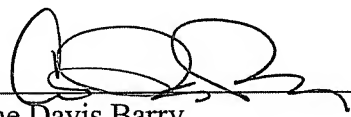
In the event the Examiner has any questions regarding this Response, Applicants' attorneys respectfully request the courtesy of a telephone conference.

In the event that there are any additional fees with respect to this Response, Applicants' attorneys respectfully request that such fees be withdrawn from Deposit Account No. 07-0845 maintained by Applicants' attorneys.

Respectfully submitted,

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